

## IN THE LINES ED STATES PATENT AND TRADEMARK OFFICE

Applicant: N

Masatoshi FUKUYAMA et al.

Title:

TOROIDAL CONTINUOUSLY VARIABLE TRANSMISSION

Appl. No.:

10/625,470

Filing Date:

7/23/2003

Examiner:

Unassigned

Art Unit:

3682.

## INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.56

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

WASH\_1489504.1

## TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

## RELEVANCE OF EACH DOCUMENT

In a counterpart Japanese application, a Japanese Office Action issued on August 2, 2005. According to an English translation obtained by Applicants' representative of the Japanese Office Action, the Japanese Patent Office made certain characterizations of the references.

The disclosure of these characterizations should not be construed as an admission of or agreement to the opinions expressed in the Japanese Office Action.

Unless otherwise indicated, no English translation is readily available (not considering machine-generated translations that may be freely available online, to both the Applicant and the PTO) for each of the non-English language documents. However, a commercially available English language abstract is provided herewith, where indicated on the attached Form PTO/SB/08. Inasmuch as Applicants have endeavored to provide at least one item that complies with the requirement for a "concise explanation of relevance" for each of the non-English language documents, each of these documents has been submitted in compliance with the PTO requirements and should be considered by the Examiner (37 CFR §1.97, §1.98 and MPEP §609).

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

By\_

Respectfully submitted

Date October 31, 2005

**FOLEY & LARDNER LLP** Customer Number: 22428 Telephone: (202) 945-6162

Facsimile:

(202) 672-5399

Pavan K. Agarwal Attorney for Applicant Registration No. 40,888

MODIFIED PTO/SB/08 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control

nu <u>mber.</u>					<u> </u>				
	Substitute fo	r form 1449B/	PTO	Complete if Known					
	INFORMATI	ON DISCLO	SURE	Application Number	10/625,470				
	STATEMEN	T BY APPLI	CANT	Filing Date	7/23/2003				
	Date Submitte	d: Octobor 3	1 2005	First Named Inventor	Masatoshi FUKUYAMA				
	Date Submitte	u. October 3	1, 2005	Group Art Unit	3682				
	(use as many s	sheets as ne	cessary)	Examiner Name	Unassigned				
Sheet	1	of	1	Attorney Docket Number	088473-0139				

U.S. PATENT DOCUMENTS							
Examiner Cite Initials* No.1	U.S. Patent Document		Name of Patentee or Applicant of	Date of Publication of	Pages, Columns, Lines,		
Initials* No.	Number	Kind Code <sup>2</sup> (if known)	Cited Document	Cited Document MM-DD-YYYY	Where Relevant Passages or Relevant Figures Appear		
3							
OCT 3 1 2005	<u>u</u>	-					
2 6	<del>/</del>						
(A)							

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited	Date of Publication of Cited Document	Pages, Columns, Lines, Where Relevant	T⁵
		Offic	e <sup>3</sup> Number <sup>4</sup>	Kind Code <sup>5</sup> ( <i>if known</i> )	Documents	MM-DD-YYYY Passages or Rel	Passages or Relevant Figures Appear	nt .
	A1	JP	11-101321	A	NISSAN MOTOR	04-13-1999		Abstr.
	A2	JP	04-028268	U		03-06-1992		
	А3	JP	2001-165287	Α	AISIN AW CO	06-19-2001		Abstr.
	A4	JP	10-324177	Α	NISSAN MOTOR	12-08-1998		Abstr.
	A5	JP	11-082655	Α	HONDA MOTOR CO LTD	03-26-1999		Abstr.

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	Ť°		

Examiner Signature	Date Considered	
	4	

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.